

E-filed 8/8/08

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U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RHONDA HARRISON,

Plaintiff,

vs.

CURTIS O. BARNES, P.C., CURTIS O.
BARNES, FORTIS CAPITAL, LLC AND
DANIEL RUPP,

Defendants.

) Case No.: C07-05529 JF

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) **PLAINTIFF'S CASE MANAGEMENT**
) **CONFERENCE STATEMENT AND**
) **PROPOSED ORDER**

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Defendants' Motion to Set Aside Default is currently under submission with the Court.

Plaintiff has suggested the parties attempt to resolve this entire matter through mediation.

Defendants are not willing to proceed to mediation at this time. On July 31, 2008, Plaintiff sent Defendants a Joint Case Management Conference Statement indicating Plaintiff has offered to mediate this matter, and that Defendants have refused. Defendants refused to sign the Joint CMC Statement, stating they are not parties to the case.

Therefore, Plaintiff respectfully requests the Court continue the August 8, 2008 Case Management Conference for 60-days, and the parties will await the Court's Order regarding the Motion to Set Aside Default. In the event the matter is otherwise resolved, Plaintiff will inform the Court.

1 Respectfully,

2 /s/Ronald Wilcox

3 Ronald Wilcox, Attorney for Plaintiff

8/1/08

Date

6 **[PROPOSED] ORDER**

7 The August 8, 2008 Case Management Conference is hereby continued to

8 10/10/08 at 10:30 .

9 **IT IS SO ORDERED.**

10 Date:

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12 _____
13 HON. JEREMY FOGEL, U.S. DISTRICT JUDGE